

## REMARKS

Favorable reconsideration of this application is respectfully requested.

Independent Claims 1, 16, 24, 44, 50 and 53 have been amended to more particularly point out and distinctly claim the invention by characterizing the "storage switch" as "routing packets between an initiator and a storage device", and by clarifying that "non-data packets" are "storage control packets that control the storage switch". The basis for this amendment is in paragraph [0113] of the specification.

Additionally, dependent Claims 11, 48 and 53 have been amended to call for "storage control" packets rather than "non-data" packets for consistency with their independent claims.

For the reasons which follow, it is respectfully submitted that the claimed invention would not have been obvious to one skilled in the art at the time of the invention over the cited prior art.

### The Rejections Under 35 U.S.C. §103

The rejections of Claims 1 - 11, 13 - 20, 22 – 25, 29, 30, 44, 47 – 50 and 53 (which includes all independent Claims 1, 16, 24, 44 and 50) as unpatentable over U.S. Patent No. 7,095,715 to Buckman are respectfully traversed.

The independent Claims 1, 16, 24, 44 and 50 are directed to a storage switch, a linecard, or a method of operation of a storage switch, and require that packets be classified (or identified) in the storage switch, without buffering the

packets, as data packets or storage control packets for controlling the storage switch. For the reasons that follow, it is respectfully submitted that the claimed invention as a whole obvious would not have been to one of ordinary skill in the art at the time of the invention from the disclosure of Buckman.

Claim 1:

Taking Independent Claim 1, as amended, as representative, the claim is directed to a method for use by a storage switch for routing data packets between an initiator and a storage device in a storage network, and calls for, in relevant part:

- (b) classifying packets as data packets or storage control packets for controlling the storage switch;
- (c) communicating the storage control packets to a first device and the data packets to a second device, and
  - wherein said step of classifying is performed without buffering of the packets (emphasis added).

Buckman discloses a broadband network node that employs several packet processing engines (14-20) operating under the control of a controller 22. The processing engines include a classify engine 14 that classifies packets into groups based upon fields in the packet according to, e.g., protocol type, IP source or destination addresses, port numbers, or content type (see col. 4, lines 52 – 62). Such classifying of packets according to protocol type, IP source or destination addresses, etc., is not the same as classifying packets as either data or storage control packets, as claimed.

Buckman does not disclose or suggest that packets received by his network node include control packets, much less control packets that control the network node. Rather, Buckman's controller 22 provides dataflow programs for controlling the operations of the processing engines (see col. 5, lines 10 – 28) of the node. Buckman's classify engine 14 does not classify packets as control packets, and Buckman does not disclose or suggest classification of packets as storage control packets for controlling a storage switch, as claimed.

Buckman discloses that his architecture affords highly parallel data flow processing at high speeds to reduce the impact on network transfer rates, and a control path that performs more complex logic at lower speeds to allow control of one or more services by looking across data flow (see col. 4, lines 29 – 32). Buckman's disclosure of processing packets at line speed operation does not suggest classifying packets as data or control packets without buffering.

Buckman does not disclose either a storage switch or a method of operation in which packets are classified as storage control packets for controlling the storage switch, and where the classification is performed without buffering, as claimed.

Accordingly, it is respectfully submitted that Buckman cannot render Claim 1 or the claims dependent thereon obvious, and that these claims are allowable.

Independent Claims 16, 24, 44 and 50 have generally similar limitations to Claim 1, and are believed to distinguish over Buckman for the same reasons as Claim 1.

For example, Claim 16 calls for classifying, without buffering, the packets into storage control packets for controlling the storage switch and data packets.

Claim 24 calls for identifying without buffering, by an identifier unit on a linecard of the storage switch, each packet as a data packet or a storage control packet for controlling the storage switch.

Claim 44 is directed to a linecard of a storage switch that includes a classifier that is designed to classify packets without buffering and to communicate storage control packets for controlling the storage switch to the CPU.

Claim 50 is directed to a storage switch and calls for means for classifying packets without buffering into control packets for controlling the switch.

Accordingly, Claims 16, 24, 44 and 50, and the claims dependent thereon, distinguish over Buckman for at least the same reason Claim 1 distinguishes over the reference, and Claims 1-30 and 44-53 are deemed to be allowable over Buckman.

As to the rejection of Claims 26, 27, 45, 46, 51 and 52 over Buckman in view of Wilford, and the rejection of Claims 12, 21 and 28 over Buckman in view of Grosner, neither Wilford nor Grosner disclose classifying packets as data or storage control packets for controlling a storage switch, and neither of these references cures the deficiencies in Buckman.

In view of the foregoing, it is respectfully submitted that the cited prior art does not disclose or suggest to one skilled in the art the claimed invention, and that

no logical combination of the references would produce the claimed invention.

As to the objection to the specification, Applicants previously amended the specification in the Amendment of June 2, 2006 to supply the serial numbers and filing dates of the referenced applications on page 1. The present amendment updates the status of the referenced applications with an issued patent number.

Accordingly, it is respectfully submitted that this application is in condition for allowance, and early allowance of all claims is solicited.

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Respectfully Submitted,

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